



UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICE OF PETITIONS

In re Application of
Slyne
Application No. 09/094,719
Filed: June 15, 1998
Attorney Docket No. AIRD 3

ON PETITION

This decision concerns the December 2, 2002 renewed petition under 37 CFR 1.137(b).

The petition is **GRANTED**.

The application became abandoned on November 16, 2001. The July 19, 2002 petition to revive was dismissed on September 3, 2002 for failing to properly support the assertion that the entire delay in responding to the August 15, 2001 non-final Office Action had been unintentional.

The instant renewed petition is accompanied by declarations of Applicant as well as his former and current counsels which provide explanations on how the application had become abandoned and why a petition to revive was not filed promptly. Upon review of the above, the Office concludes that the entire delay in submitting a proper response to the Office action at issue, including the delay in attempting to revive the application, was unintentional within the meaning of 37 CFR 1.137(b). The petition is thus granted.

No fee is owed.

In addition, the Office acknowledges receipt with the petition of a request for a 1-month extension of time for filing this petition, and the \$55 extension-of-time fee (small entity).

The application file is being forwarded to Technology Center 3700 for review of the "Amendment & Response" submitted with the July 19, 2002 petition.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
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for Patents